

Delegate of the Director of Liquor Licensing

Decision Notice

MATTER:	Application for a material alteration to licensed premises
LICENSEE:	Northern Interest Pty Ltd
PREMISES:	Elliott Hotel 1 Stuart Highway Elliott NT 0862
LICENCE NUMBER	80104969/FLL
LEGISLATION:	Part 4 Division 2 of the <i>Liquor Act 2019</i>
DECISION OF:	Delegate of the Director of Liquor Licensing
DATE OF DECISION:	4 September 2026

DECISION

1. For the reasons outlined below in accordance with section 97(1)(a) of the *Liquor Act 2019* (the Act), and with reference to the delegations provided by the Northern Territory Liquor Commission (the Commission) dated 5 July 2025, as a delegate of the Director of Liquor Licensing (the Director) I approve the application by Northern Interests Pty Ltd for the material alterations to the premises, being the refurbishment of the original premises to repair and reinstate it as before.
2. The approval is conditional upon the works being completed in accordance with the materials and designs submitted with the application.
3. With reference to section 95(5) of the Act, the commencement of trade within the premises is prohibited until the works are completed and all the necessary certifications have been obtained and provided to the Director or their delegate and the licensee has received written confirmation that they may commence trade.
4. The licensee may continue to conduct the sale of takeaway liquor throughout this process, once they have provided a plan of works to the Director or their delegate which must be approved before trade continues.
5. The sale of liquor is not permitted in areas that are under construction without the express written consent of the Director or their delegate.
6. Upon completion of the works and final approval by the Director or their delegate, an amended licence will be issued to reflect the new approved site plan and facilities.

REASONS

BACKGROUND

7. On 28 August 2026, an application was lodged by Mr Benjamin Seekamp, a director of Northern Interests Pty Ltd for the premises situated at 1 Stuart Highway, Elliott for which licence 80104969/FLL relates.
8. The application was for material alterations to the premises pursuant to section 95(1)(d) of the Act being a significant change to the external appearance of the premises.
9. It may be arguable that the matter enlivens the other branches of section 95(1) however, for the purposes of this consideration the primary trigger is subsection (d).
10. The premises is in a poor state of repair, with the on-premises trade being ceased for several years and the licensee having been issued directions or orders from other agencies as a result.
11. Although it was originally contemplated that the licensee would undertake a redevelopment of the site, constraints have limited the works to simply repair the existing premises with a modern structure albeit similarly operational as before.

APPLICATION

12. The application included the materials prescribed by the Act.
13. There were no proposed changes to the conditions of the licence and the application was simple in nature and uncontroversial, and arguably necessary due to the poor state of the premises currently.

PUBLICATION & CONSULTATION

14. This matter was exempted from the public notice requirements as the proposed works are commonly known within the township and appear to be generally supported throughout.
15. Notification of the application was provided to those prescribed in subsections 96(6) and 96(6A) of the Act, with no adverse comments having been received from any party.

ASSESSMENT OF THE APPLICATION

16. The works fall within the definition of a material alteration as they are a significant change to the external appearance of the premises¹.
17. The application is considered essential to the proper maintenance of the premises as required by section 90 of the Act.
18. The current state of the premises places the licensee within a situation where they may be considered to be in breach of section 90 of the Act.
19. Although it would be open to take action against the licensee for this alleged breach, it is considered more important to restore the premises to a safe and usable condition.

¹ *Liquor Act 2019*, s95 (1)(d).

20. The works proposed will effectively return the premises to a safe and similar operation as before, notwithstanding it will be with modern infrastructure.
21. There has been no opposition to this application and no adverse comments, nor any compliance issues with this licensee other than the state of repair of the premises.
22. The Northern Territory Fire and Rescue Service did acknowledge the proposed works and gave general support.
23. As written earlier, the works are generally well-known and supported by the community and other agencies.
24. The works will not increase the premises or the sales it will simply restore the premises to a usable state that is safe and modern.
25. Ordinarily a condition may be placed upon an approval for material alterations prohibiting trade until such time as the relevant certifications and approvals have been provided to the satisfaction of the Director.
26. It is noted the licensee has long since ceased the on-premises sale of liquor, however, does sell takeaway liquor from the premises.
27. The Director and the licensee will work collaboratively to ensure a safe and appropriate arrangement for the ongoing trade in conjunction with the works necessary, conditional upon the Director reserving the right to instruct the licensee to provide reasonable documentation in relation to the works and to cease trade if the works pose a risk of harm to the public during ordinary trade.

Public interest and community impact requirements

28. In accordance with section 97 of the Act, I have considered the public interest and community impact requirements and am comfortably satisfied that the alteration will be in the public interest, and that it is unlikely it will have any adverse impact on the community.
29. The intention of the licensee is to restore the premises to a safe and usable state, similarly operational as before it fell into disrepair.
30. Section 3(4) of the Act requires a person exercising a power under this Act to have regard to both the primary and secondary purposes of the Act, with the primary purpose focussing on harm minimisation.
31. This matter also may be considered to fall within the secondary purpose of facilitating the diversity of licensed premises and associated services for the benefit of communities in the Territory.
32. The proposed works clearly fall within the harm minimisation aspect and also the diversity of licensed premises, being physical harm to patrons as opposed to the liquor consumption considerations that are usually associated with the principle as well as a safe and operational on-premises operation.
33. The works are unlikely to have any increase on the sales of liquor from the premises, notwithstanding the on-premises sale of liquor is not possible at this time due to the disrepair of the premises.

34. As required by that section this decision has been made in a manner consistent with those purposes.

REVIEW OF DECISION

35. Section 27(1) of the Act provides for those persons prescribed to seek a review of a delegate's decision by the Director.

36. An application for a review of a decision must be made to the Director within 28 days after written notice of the decision is given to the person, in the approved form stating the grounds on which it is made, and the facts relied on to establish the grounds.



Mark Wood

Delegate of the Director of Liquor Licensing
4 September 2026